

IAP08Rec'd PCT 04 DEC 2008

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December 1, 2008

Mail Stop Petition
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

SUBJECT: Applicant: Lawson et al.
 Serial No: 10/563,891
 Int'l. Filing Date: July 12, 2004
 For: APPARATUS FOR DETERMINING RESPIRATORY
 MUSCLE ENDURANCE OF A PERSON
 Confirmation No.: 7208
 Examiner: Donna S. Greene
 Docket No: GJ-275J

Dear Sir:

In response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) mailed February 2, 2007 (copy enclosed), enclosed is applicant's Combined Declaration and Power of Attorney. Also enclosed is a check in the amount of \$130.00 for the surcharge for a large entity.

If for any reason this RESPONSE is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts at (781) 890-5678.

In addition, pursuant to Rule 1.136(a)(3), the Office is hereby authorized to treat any reply requiring an extension of time as incorporating a request therefor. Also, any request or Petition for an Extension of Time, notwithstanding an inadvertent reference in the Petition to a shorter period of time, is to be treated as requesting the appropriate length of time.

If any payment during prosecution is found to be incorrect, please charge any deficiency or credit any overpayment to my Deposit Account No. 09-0002. A copy of this letter is enclosed for use by the Finance Branch in the event that it is necessary to make any charge or credit to my deposit account.

12/04/2008 MBLANCO 00000054 10563891

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130.00 OP

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Commissioner for Patents
December 1, 2008
Page 2

Kindly acknowledge receipt of the foregoing by returning the enclosed self-addressed postcard.

Sincerely,



David W. Poirier
Reg. No. 43,007

DWP/jmc
Enclosures

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to Attention: Mail Stop Petition, Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on December 1, 2008.


Joanne M. Cecchini

PCT 7



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,891	Christopher Patrick Lawson	GJ-275J

landlorio & Teska
260 Bear Hill Road
Waltham, MA 02451



INTERNATIONAL APPLICATION NO.	
PCT/GB04/03009	
I.A. FILING DATE	PRIORITY DATE
07/12/2004	07/11/2003

CONFIRMATION NO. 7208

371 FORMALITIES LETTER



OC000000022293685

Date Mailed: 02/02/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/09/2006
- Copy of the International Search Report filed on 01/09/2006
- Copy of IPE Report filed on 01/09/2006
- Preliminary Amendments filed on 01/09/2006
- Information Disclosure Statements filed on 01/09/2006
- Oath or Declaration filed on 01/09/2006
- Request for Immediate Examination filed on 01/09/2006
- U.S. Basic National Fees filed on 01/09/2006
- Priority Documents filed on 01/09/2006
- Specification filed on 01/09/2006
- Claims filed on 01/09/2006
- Abstracts filed on 01/09/2006
- Drawings filed on 01/09/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - does not identify the application to which it is directed.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

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10/563,891	PCT/GB04/03009	GJ-275J



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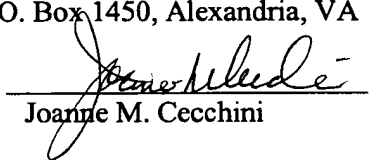


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Joanne M. Cecchini